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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/653,666
Filing Date: September 02, 2003
Appellant(s): TAKAHASHI, KOICHI

Steven M. Greenberg
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 04/01/11 appealing from the Office action mailed 01/07/11.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The following is a list of claims that are rejected and pending in the application:

Claims 9-17 and 21-23 are pending and have been rejected.

(4) Status of Amendments After Final

The examiner has no comment on the appellant's statement of the status of amendments after final rejection contained in the brief.

(5) Summary of Claimed Subject Matter

The examiner has no comment on the summary of claimed subject matter contained in the brief.

(6) Grounds of Rejection to be Reviewed on Appeal

The examiner has no comment on the appellant's statement of the grounds of rejection to be reviewed on appeal. Every ground of rejection set forth in the Office action from which the appeal is taken (as modified by any advisory actions) is being maintained by the examiner except for the grounds of rejection (if any) listed under the subheading "WITHDRAWN REJECTIONS." New grounds of rejection (if any) are provided under the subheading "NEW GROUNDS OF REJECTION."

(7) Claims Appendix

The examiner has no comment on the copy of the appealed claims contained in the Appendix to the appellant's brief.

(8) Evidence Relied Upon

US 2001/0037292	Vogt	11-2001
US 2003/0037102	Eckert et al.	2-2003
US 2004/0015584	Cartmell et al.	9-2004

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14-17 are rejected under 35 U.S.C. 102(e) as being unpatentable by Vogt (US 2001/0037292),

Regarding claim 14, Vogt teaches a data processing method for relaying data exchanged between first computer equipment and second computer equipment, comprising: receiving a response sent from the first computer equipment to the second computer equipment; **(Vogt discloses after the user has requested a remote page from the proxy server 110 (step 205), the proxy server 110 may request the requested remote page from the remote server 140 (step 210). In response, the remote server 140 may transmit the remote page to the proxy server 110; see Paragraph [12])** determining whether said response includes a Set-Cookie header; **(Vogt discloses it is well know that a cookie may be passed within a header. For such "Set-cookie" headers, the proxy server 110 may modify the "domain" portion of the cookie if it exists, Paragraph [47]; Vogt discloses the browser 123 uses these values to determine whether or not to send the cookies back to the remote server 110 on subsequent requests, Paragraph [47])** wherein said Set-Cookie header includes a domain having a plurality of components, and wherein the plurality of components are separated by a punctuation character; **(Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/"; Paragraph [48])** rewriting said Set-Cookie header when said response includes said Set-Cookie header so that a cookie set on the second computer equipment based on said Set-Cookie header will have a format recognizable by the second computer equipment;**(Vogt discloses however, since the hostname information for the remote**

server 140 is specified as the initial segments of the URL path, the browser 123 can emulate the hostname functionality by writing the hostname information into the path specifier for the cookie; Paragraph [48]) wherein rewriting said Set-Cookie header includes exchanging positions of a first and last component of the plurality of components of said domain; (Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/"; Paragraph [48]) and sending the second computer equipment said response with said Set-Cookie header. (Vogt discloses In the next step of the method, the proxy server 110 serves the modified remote page to the browser 123 (step 240), see Paragraph [51] also see Paragraph [48]))

Regarding claim 15, Vogt teaches a program product in a recordable type medium for controlling computer equipment relaying data exchanged between first computer equipment and second computer equipment to perform predetermined data processing, comprising: first processing means for receiving a response sent from the first computer equipment to the second computer equipment (Vogt discloses after the user has requested a remote page from the proxy server 110 (step 205), the proxy server 110 may request the requested remote page from the remote server 140 (step 210). In response, the remote server 140 may transmit the remote page to the proxy server 110; see Paragraph [12]) ; second processing means for rewriting a Set-Cookie header when said response includes said Set-Cookie header so that a cookie set on the second computer equipment (Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again,

replacing periods with slashes) which would be "/ten/orezten/", see Paragraph [48]) based on said Set-Cookie header will have a format recognizable by the second computer equipment, (Vogt discloses it is well known that a cookie may be passed within a header. For such "Set-cookie" headers, the proxy server 110 may modify the "domain" portion of the cookie if it exists, Paragraph [47]; Vogt discloses the browser 123 uses these values to determine whether or not to send the cookies back to the remote server 110 on subsequent requests, Paragraph [47]) wherein said Set-Cookie header includes a domain having a plurality of components, wherein the plurality of components are separated by a punctuation character, (Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/", see Paragraph [48]) and wherein rewriting said Set-Cookie header includes exchanging positions of a first and last component of the plurality of components of said domain; (see Vogt Paragraph [48]) and third processing means for sending the second computer equipment said response with said Set-Cookie header. (Vogt discloses In the next step of the method, the proxy server 110 serves the modified remote page to the browser 123 (step 240); see Paragraph [51] also see Paragraph [48])

Regarding 16, Vogt taught the program product according to Claim 15, as described above. Vogt further teaches wherein during processing in said second processing means for rewriting said Set-Cookie header, a sequence of said domain included in said Set-Cookie header of said response is altered into an inverse order, and a delimiter of said domain is replaced by a predetermined character to generate a path including said domain rearranged into said inverse

order. (Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/", see Paragraph [48])

Regarding claim 17, Vogt taught the program product according to Claim 15, as described above. Vogt further teaches comprising means for controlling the first and second computer equipment to rewrite said domain and a first path of a link and location included in said response in conformity with a second_path included in said Set-Cookie header. (Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/", see Paragraph [48])

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 9, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vogt (US 2001/0037292) in view of Eckert (US 2003/0037102),

Regarding Claim 9, Vogt teaches computer equipment relaying transmission of an HTTP request and return of an HTTP response between a terminal and a server; comprising: HTTP request transfer means for relaying the HTTP response with a cookie sent from a browser of the terminal to transfer the HTTP request with said cookie to the server as a destination of the HTTP request; **(Vogt discloses after the user has requested a remote page from the proxy server 110 (step 205), the proxy server 110 may request the requested remote page from the remote server 140 (step 210). In response, the remote server 140 may transmit the remote page to the proxy server 110; see Paragraph [38]; see paragraph [47] for response with cookie)** and HTTP response transfer means for receiving the HTTP response returned from the server in response to the HTTP request, **(Vogt further discloses the proxy server transmits the modified first unit of digital content to the browser, see Paragraph [12])** deleting a domain described in a Set-Cookie header, **(Vogt discloses the domain specifier for the cookie can then be removed. Since the path specifier for the cookie now contains the original domain information, the original path information is prepended to the cookie value and terminated with a " " separator; Paragraph[48])** rearranging components of said domain into an inverse order, embedding said rearranged components into a path described in said Set-Cookie header, **(Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/"; Paragraph [48])** and transferring the HTTP response with said Set-Cookie header to the terminal, **(Vogt discloses In the next step of the**

method, the proxy server 110 serves the modified remote page to the browser 123 (step 240);see Paragraph [51]) wherein rearranging the plurality of components of said domain in the inverse order includes exchanging positions of a first and last component of the plurality of components of said domain. (Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/"; Paragraph [48])

Vogt does not explicitly disclose embedding a remote port on which the HTTP response was received into the path described in said Set-Cookie header,

However Eckert teaches embedding a remote port on which the HTTP response was received into the path described in said Set-Cookie header.**(Eckert teaches alternatively, where the information is available on the first client system 41 it may comprise additional destination information, such as the host name and port number of the destination intranet web server, or channel information. Such information may be stored in a cookie 56 on the first client system 41, or may be retrieved from the address information store 51; see paragraph [77])**

It would be obvious to a person of ordinary skill in the art at the time of the invention to modify Vogt's provision of transparent proxy services to a user of a client device to include Eckert's message broker system. One of ordinary skill in the art at the time of the invention would have been motivated to make this modification in order to have a real time web utilization while having security measures active(as firewalls). See Eckert Paragraph [002])

Regarding claim 11, Vogt in view of Eckert taught the computer equipment according to claim 9, as described above. Vogt further teaches adds, "wherein said HTTP response transfer means adds a predetermined fixed-character string to said Set-Cookie header according to the HTTP response, **(Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/"; Paragraph [48])** and transfers the HTTP response with said Set-Cookie header to the terminal. **(Vogt discloses In the next step of the method, the proxy server 110 serves the modified remote page to the browser 123 (step 240);see Paragraph [51] also see Paragraph [48])**

Regarding claim 12, Vogt in view of Eckert taught the computer equipment according to Claim 9, as described above. Vogt further teaches wherein said HTTP response transfer means compiles the plurality of components necessary for identifying said domain when rearranging the plurality of components in inverse order, **(Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/"; Paragraph [48])** and transfers the HTTP response to the terminal. **(Vogt discloses In the next step of the method, the proxy server 110 serves the modified remote page to the browser 123 (step 240);see Paragraph [51] also see Paragraph [48])**

Regarding claim 13, Vogt in view of Eckert taught the computer equipment according to Claim 9, wherein said HTTP response transfer means replaces a domain parameter of the server in said Set-Cookie header by another server name, **(Vogt discloses for example, if the domain specifier for a cookie is ".netzero.net", the equivalent path specifier would be the reversed version (again, replacing periods with slashes) which would be "/ten/orezten/"; Paragraph [48])** and transfers the HTTP response to the terminal. **(Vogt discloses In the next step of the method, the proxy server 110 serves the modified remote page to the browser 123 (step 240);see Paragraph [51] also see Paragraph [48])**

Claims 10, 21, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vogt (US 2001/0037292) in view of Eckert (US 2003/0037102) in further view of Cartmell(7337910),

Regarding claim 10, Vogt in view of Eckert taught the computer according to claim 9, as described above. Vogt nor Eckert explicitly discloses wherein the punctuation character is a first punctuation character, and the remote port is separated from the plurality of components of said domain by a second punctuation character.

However Cartmell teaches wherein the punctuation character is a first punctuation character, and the remote port is separated from the plurality of components of said domain by a second punctuation character.

(Cartmell further discloses A URL includes a protocol to be used in accessing the resource (e.g., "http:" for the HyperText Transfer Protocol ("HTTP")), the domain name or IP address of the server that provides the resource (e.g., "comp23.IBM.com"), and optionally

a path to the resource (e.g., "/help/HelpPage.html")--thus

"http://comp23.IBM.com/help/HelpPage.- html" is one example of a URL; Page 1

paragraph 5 lines 5-12)

It would be obvious to a person of ordinary skill in the art at the time of the invention to modify a HTTP request and return of an HTTP response between a terminal and a server to include a message broker of Eckert Methods for responding to request for unregistered domain name to indicate a predefined type of service of Cartmell. One of ordinary skill in the art would have been motivated to make this modification in order to request unique addresses while taking the guess work out of identifying a website.

Regarding claim 21, Vogt in view of Eckert taught the computer equipment according to claim 9, as described above. Cartmell further teaches wherein the punctuation character is a first punctuation character, and further comprising:

identifying a top level domain name component in the plurality of component of the plurality of components of the domain name and a second level domain name component in the plurality of components of the domain name; (Cartmell discloses A URL includes a protocol to be used in accessing the resource (e.g., "http:" for the HyperText Transfer Protocol ("HTTP")), the domain name or IP address of the server that provides the resource (e.g.,

**"comp23.IBM.com"), and optionally a path to the resource (e.g., "/help/HelpPage.html")—
thus http://comp23.IBM.com/help/HelpPage.- html" is one example of a URL; Page 1
paragraph 5 lines 5-12)**

joining the top level domain name component and the second level domain name component

with a second punctuation character. (Cartmell discloses A URL includes a protocol to be used in accessing the resource (e.g., "http:" for the HyperText Transfer Protocol ("HTTP")), the domain name or IP address of the server that provides the resource (e.g., "comp23.IBM.com"), and optionally a path to the resource (e.g., "/help/HelpPage.html")—thus http://comp23.IBM.com/help/HelpPage.- html" is one example of a URL; Page 1 paragraph 5 lines 5-12)

Regarding claim 22, the modified Vogt taught the computer equipment according to claim 21, as described above. Cartmell further teaches wherein the second punctuation character is a different punctuation character than the first punctuation character. (Cartmell discloses A URL includes a protocol to be used in accessing the resource (e.g., "http:" for the HyperText Transfer Protocol ("HTTP")), the domain name or IP address of the server that provides the resource (e.g., "comp23.IBM.com"), and optionally a path to the resource (e.g., "/help/HelpPage.html")--thus "http://comp23.IBM.com/help/HelpPage.- html" is one example of a URL; Page 1 paragraph 5 lines 5-12)

Regarding claim 23, the modified Vogt taught the computer equipment according to claim 21, as described above. Cartmell further teaches wherein the first punctuation character is a slash, and wherein the second punctuation character is a hyphen. (Cartmell discloses A URL includes a protocol to be used in accessing the resource (e.g., "http:" for the HyperText Transfer Protocol ("HTTP")), the domain name or IP address of the server that provides the resource (e.g., "comp23.IBM.com"), and optionally a path to the resource (e.g.,

"/help/HelpPage.html")--thus "http://comp23.IBM.com/help/HelpPage.- html" is one example of a URL; Page 1 paragraph 5 lines 5-12)

(10) Response to Argument

The examiner summarizes the various points raised by the appellant and addresses them individually.

(A)Applicant argues, on pages 6-9 of Appeal Brief, as can be seen in the quoted paragraph, in Vogt the domain specifier ".netzero.net" is rewritten into a path specifier "/ten/orezten/". This is totally different from exchanging positions of a first and last component of the components of the domain of the Set-Cookie header, as in Appellant' s claimed invention. Specifically, in Vogt the positions of a first and last component of the components of the domain of the Set-Cookie header are not exchanged; rather in Vogt the order of the letters of the domain specifier is reversed. Thus it is the Appellants' position that Examiner has failed to locate all claimed teachings of claims 14-15 in the single, Vogt reference.

In response to argument (A):

Examiner respectfully disagrees. On the contrary, Examiner views given the broadest reasonable interpretation, each character or letter can be considered a component and thus "/ten/orezten/" can teach the limitation of exchanging positions of a first and last component of the plurality of components of said domain. The exchanging of the first character and last character of "netzero.net" which are "n" and "t" to become "/ten/orezten/", teaches the limitation (see Vogt paragraph [48]). The limitation does further specify each component is separated by

punctuations. Further Examiner views the “netzero” and “net” portions in “.netzero.net” can also be considered as components separated by punctuation “.”. Thus “ten” and “orezten” can be considered to have exchanged positions of a first and last component as well (even though in reverse order).

(B)Applicant argues, on pages 9-11 of Appeal Brief, the need to making a proper determination of obviousness under 35 U.S.C. 103 and to provide an appropriate supporting rationale in view recent judicial developments in regard to 35 U.S.C. § 103.

In response to argument (B):

In response to appellant's arguments, the examiner would like to draw attention to MPEP § 2143 (citing KSR, 82 USPQ2d at 1385, 1395-97) which states:

“Exemplary rationales that may support a conclusion of obviousness include:

(A) Combining prior art elements according to known methods to yield predictable results;

(B) Simple substitution of one known element for another to obtain predictable results;

(C) Use of known technique to improve similar devices (methods, or products) in the same way;

(D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results;

(E) "Obvious to try" - choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success;

(F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art;

(G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention”.

In this case, the examiner maintains that there is some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention, and such rationale was provided to the appellant in the Final Rejection dated 01/07/11 and is also repeated below.

Eckert explains in order to have a real time web utilization while having security firewalls active there is a need for Eckert's system (See Eckert Paragraph [002], and [066]). Thus it would be obvious to include Eckert's system to maintain security with the use of firewalls while being able to have near real time capability while on the web.

Further as explained in argument (A), Vogt does teach each properly constructed element claimed. More specifically Vogt does teach the limitation of “exchanging positions of a first and last component of the plurality of said domain”.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/GERALD SMARTH/

Examiner, Art Unit 2478

Conferees:

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